



Sen. Don Harmon

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09600SB1265sam001

LRB096 08879 RCE 22850 a

1 AMENDMENT TO SENATE BILL 1265

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1265 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Freedom of Information Act is amended by  
5 changing Section 2 as follows:

6 (5 ILCS 140/2) (from Ch. 116, par. 202)

7 Sec. 2. Definitions. As used in this Act:

8 (a) "Public body" means any legislative, executive,  
9 administrative, or advisory bodies of the State, state  
10 universities and colleges, counties, townships, cities,  
11 villages, incorporated towns, school districts and all other  
12 municipal corporations, boards, bureaus, committees, or  
13 commissions of this State, any subsidiary bodies of any of the  
14 foregoing including but not limited to committees and  
15 subcommittees which are supported in whole or in part by tax  
16 revenue, or which expend tax revenue, and a School Finance

1 Authority created under Article 1E of the School Code. "Public  
2 body" does not include a child death review team or the  
3 Illinois Child Death Review Teams Executive Council  
4 established under the Child Death Review Team Act.

5 (b) "Person" means any individual, corporation,  
6 partnership, firm, organization or association, acting  
7 individually or as a group.

8 (c) "Public records" means all records, reports, forms,  
9 writings, letters, memoranda, books, papers, maps,  
10 photographs, microfilms, cards, tapes, recordings, electronic  
11 data processing records, recorded information and all other  
12 documentary materials, regardless of physical form or  
13 characteristics, having been prepared, or having been or being  
14 used, received, possessed or under the control of any public  
15 body. "Public records" includes, but is expressly not limited  
16 to: (i) administrative manuals, procedural rules, and  
17 instructions to staff, unless exempted by Section 7(p) of this  
18 Act; (ii) final opinions and orders made in the adjudication of  
19 cases, except an educational institution's adjudication of  
20 student or employee grievance or disciplinary cases; (iii)  
21 substantive rules; (iv) statements and interpretations of  
22 policy which have been adopted by a public body; (v) final  
23 planning policies, recommendations, and decisions; (vi)  
24 factual reports, inspection reports, and studies whether  
25 prepared by or for the public body; (vii) all information in  
26 any account, voucher, or contract dealing with the receipt or

1 expenditure of public or other funds of public bodies; (viii)  
2 the names, salaries, titles, and dates of employment of all  
3 employees and officers of public bodies; (ix) materials  
4 containing opinions concerning the rights of the state, the  
5 public, a subdivision of state or a local government, or of any  
6 private persons; (x) the name of every official and the final  
7 records of voting in all proceedings of public bodies; (xi)  
8 applications for any contract, permit, grant, or agreement  
9 except as exempted from disclosure by subsection (g) of Section  
10 7 of this Act; (xii) each report, document, study, or  
11 publication prepared by independent consultants or other  
12 independent contractors for the public body; (xiii) all other  
13 information required by law to be made available for public  
14 inspection or copying; (xiv) information relating to any grant  
15 or contract made by or between a public body and another public  
16 body or private organization; (xv) waiver documents filed with  
17 the State Superintendent of Education or the president of the  
18 University of Illinois under Section 30-12.5 of the School  
19 Code, concerning nominees for General Assembly scholarships  
20 under Sections 30-9, 30-10, and 30-11 of the School Code; (xvi)  
21 complaints, results of complaints, and Department of Children  
22 and Family Services staff findings of licensing violations at  
23 day care facilities, provided that personal and identifying  
24 information is not released; ~~and~~ (xvii) records, reports,  
25 forms, writings, letters, memoranda, books, papers, and other  
26 documentary information, regardless of physical form or

1 characteristics, having been prepared, or having been or being  
2 used, received, possessed, or under the control of the Illinois  
3 Sports Facilities Authority dealing with the receipt or  
4 expenditure of public funds or other funds of the Authority in  
5 connection with the reconstruction, renovation, remodeling,  
6 extension, or improvement of all or substantially all of an  
7 existing "facility" as that term is defined in the Illinois  
8 Sports Facilities Authority Act; and (xviii) all settlement  
9 agreements entered into by or on behalf of a public body,  
10 provided that information exempt from disclosure under Section  
11 7 of this Act may be redacted.

12 (d) "Copying" means the reproduction of any public record  
13 by means of any photographic, electronic, mechanical or other  
14 process, device or means.

15 (e) "Head of the public body" means the president, mayor,  
16 chairman, presiding officer, director, superintendent,  
17 manager, supervisor or individual otherwise holding primary  
18 executive and administrative authority for the public body, or  
19 such person's duly authorized designee.

20 (f) "News media" means a newspaper or other periodical  
21 issued at regular intervals whether in print or electronic  
22 format, a news service whether in print or electronic format, a  
23 radio station, a television station, a television network, a  
24 community antenna television service, or a person or  
25 corporation engaged in making news reels or other motion  
26 picture news for public showing.

1 (Source: P.A. 91-935, eff. 6-1-01; 92-335, eff. 8-10-01;  
2 92-468, eff. 8-22-01; 92-547, eff. 6-13-02; 92-651, eff.  
3 7-11-02.)".